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FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

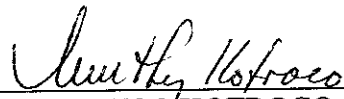
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

4/10/02
R. Jensen

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of April, 2002, that a variance from Section 1B02.3.C.1 of the B.C.Z.R., to permit an existing single-family dwelling to have a side yard setback of 2 ft. 7 in. in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED
APR 10 2002
J. R. Jameson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 10, 2002

Mr. & Mrs. John H. Ruppert
532 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 02-386-A
Property: 532 Allegheny Avenue

Dear Mr. & Mrs. Ruppert:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 532 Allegheny Ave. Towson
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 B02.3.C.1 BCZR

To permit an existing single family dwelling to have a side yard setback of 2 FEET 7 INCHES IN LIEU of the required 10 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

John H. Ruppert
Name - Type or Print

[Signature]
Signature

Sally P. Ruppert
Name - Type or Print

Sally P. Ruppert
Signature

532 Allegheny Ave 410 337 9601
Address Telephone No.

Towson MD 21204
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 4/10/02 day of April that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-386-A

Reviewed By D. THOMPSON Date 3/13/02

Estimated Posting Date 3/25/02

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 532 ALLegheny Ave.
Address
Towson MD 21204
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We purchased the property from the previous owners in 1995, who had purchased the property with the existing attached garage in the early 1980's. The proximity of the structures to the property line was never a legal issue with the previous owners or during the process of our purchasing of the property.

The existing attached garage was a major asset to the property in our considering the purchase of the property. The removal of the structure would diminish the safe and secure living area of the home and create undo hardship on our growing family. The removal and reconstruction would cost tens of thousands of dollars, exceeding the value of the investment in the property and its improvements.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
John H. Ruppert
Name - Type or Print

[Signature]
Signature
Sally P. Ruppert
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of March, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

March 11, 2002
Date

Dana Garrett
Notary Public

My Commission Expires 11/9/05

Zoning Description

Zoning Description for 532 Allegheny Ave.

Beginning at a point on the *North* side of *Allegheny Ave.*, Which is *60 feet* wide at the distance of *461 feet East* of the centerline of the nearest improved Intersecting street *Woodbine Ave.*, which is *50 feet* wide. Being *Lot # 1 of 3 of The Donald Buck* subdivision as recorded in the Baltimore County Plat Book # 42, Folio # 56 containing *17,388.00' square feet* Also known as 532 Allegheny Ave. and located in the 9th Election District, 4th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 71231

DATE 3/13/02 ACCOUNT R0050066150

AMOUNT \$ 50.⁰⁰

RECEIVED FROM: JOHN RUPPERT

FOR: PET. FOR ADM. VARIANCE ITEM# 386 02-386-A

502 ALLEGHENY AVE. BY D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
3/13/2002 3/13/2002 10:58:43

REG 4804 CASHIER DDOL DND DRAWER

RECEIPT # 178033

Dept 5 528 ZONING VERIFICATION

CR NO. 011231

Receipt Tot 50.00
50.00 EX .00 LA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 02-386-A
Petitioner/Developer:
John & Sally Ruppert
Closing Date: **04/09/02**

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Mr. George Zahner

Ladies and Gentlemen:

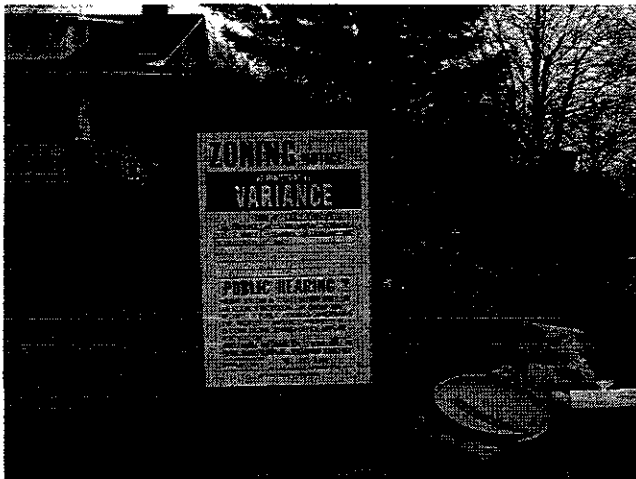
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **532 Allegheny Ave.**

The sign(s) were posted on **03/21/02.**

Sincerely,



Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 386 -A

Address 532 ALLEGHENY AVE., 21204

Contact Person: DONNA THOMPSON

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3/13/02

Posting Date: 3/25/02

Closing Date: 4/9/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 386 -A

Address 532 ALLEGHENY AVE., 21204

Petitioner's Name RUPPERT

Telephone 410-337-9601

Posting Date: 3/25/02

Closing Date: 4/9/02

Wording for Sign: TO PERMIT A SIDE YARD SETBACK OF 2 FEET 7 INCHES IN
LIEU OF THE REQUIRED 10 FEET.

WCR - Revised 6/28/00

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-386-A
Petitioner: John Ruppert
Address or Location: 532 Allegheny Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Ruppert
Address: 532 Allegheny Ave.
Towson, MD 21204
Telephone Number: 410 377 9601

Revised 2/20/98 - SCJ

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

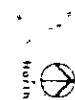
Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____

North
date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
Scale: 1" = 1000'

LOCATION INFORMATION

Election District _____

Councilmanic District _____

1" = 200' scale map # _____

Zoning _____

Lot size: _____

acreage _____

square feet _____

Public Utilities

SEWER: ☐ ☐

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 8, 2002

Mr. & Mrs. John H. Ruppert
532 Allegheny Avenue
Towson MD 21204

Dear Mr. & Ms. Ruppert:

RE: Case Number: 02-386-A, 532 Allegheny Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDC
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Fire Department

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 25, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

378, 381, 383, 386-389, 391-394, 396-400

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

County Review Group comments

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB 1765*

DATE: April 30, 2002

Zoning Advisory Committee Meeting of March 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

378, 379, 380, 383, 384, 385, 386, 387, 389, 390, 392, 395, 396, 397, 399

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 10, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-372, 02-375, 02-385, 02-386, & 02-397

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL:MAC

APR 10



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3-26-72

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 386

DT

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

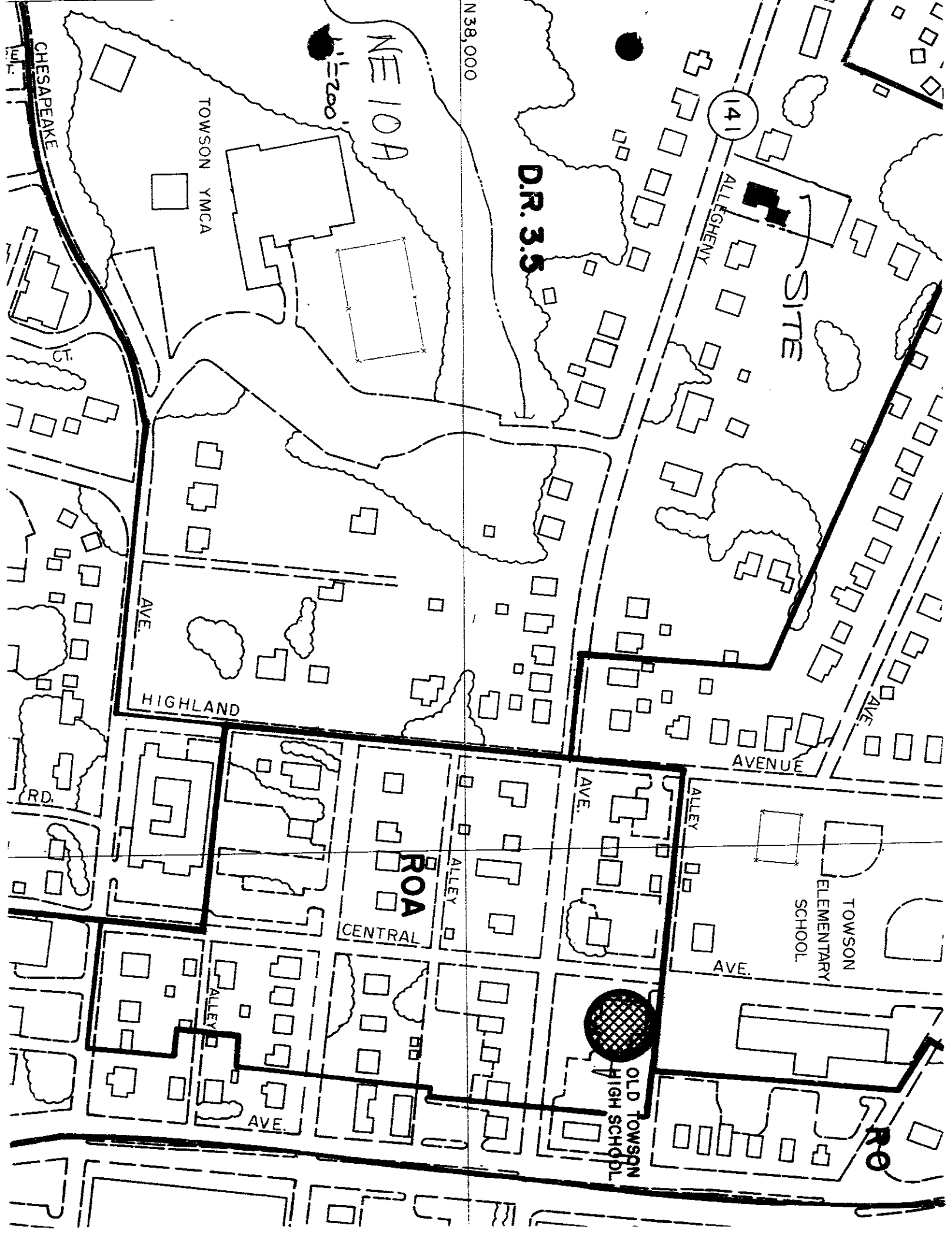
Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



CHESAPEAKE

TOWSON YMCA

NE 10A

1" = 200'

N 38,000

D.R. 3.5

141

ALLEGHENY

SITE

AVE.

HIGHLAND

RD.

ROA

CENTRAL

ALLEY

AVE.

ALLEY

AVENUE

TOWSON
ELEMENTARY
SCHOOL

AVE.

OLD TOWSON
HIGH SCHOOL

AVE.

RO



532 ALLEGHENY AVE.

C2-386-A



532 ALLEGHENY AVE. (Looking North / West)



532 ALLEGHENY AVE. (Looking North / East)

02-386-A

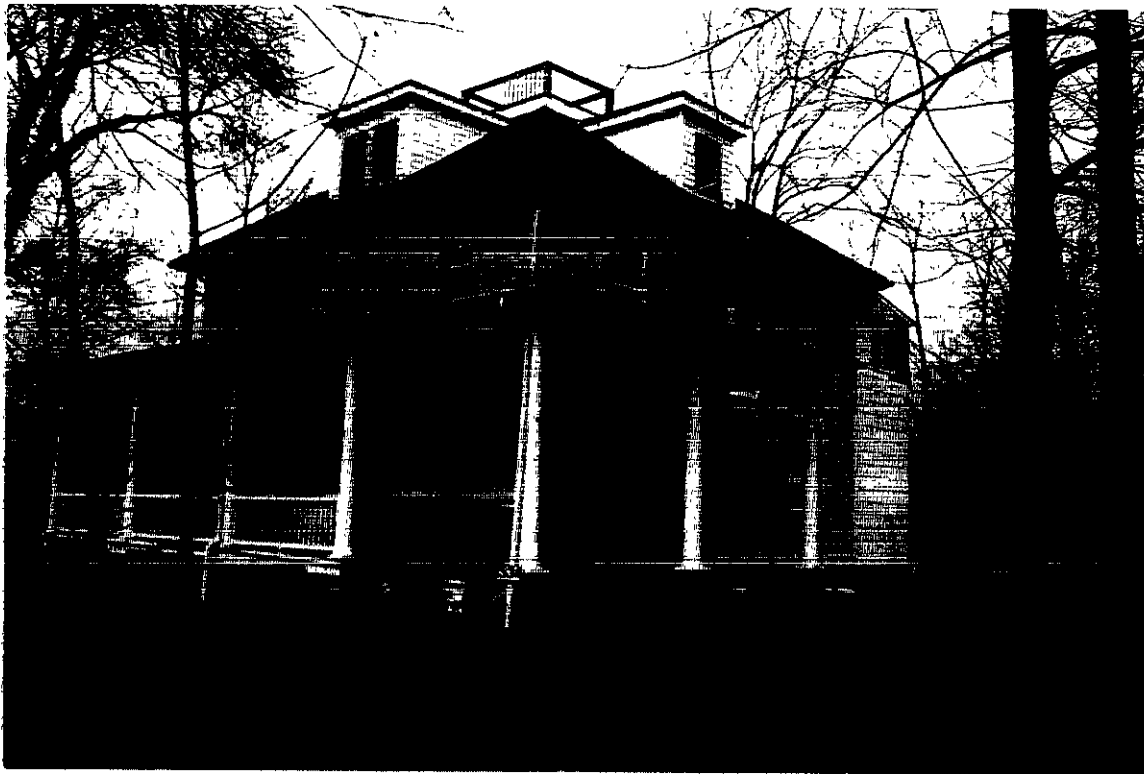


532 B ALLEGHENY AVE. (Looking North / West)

02-386-A



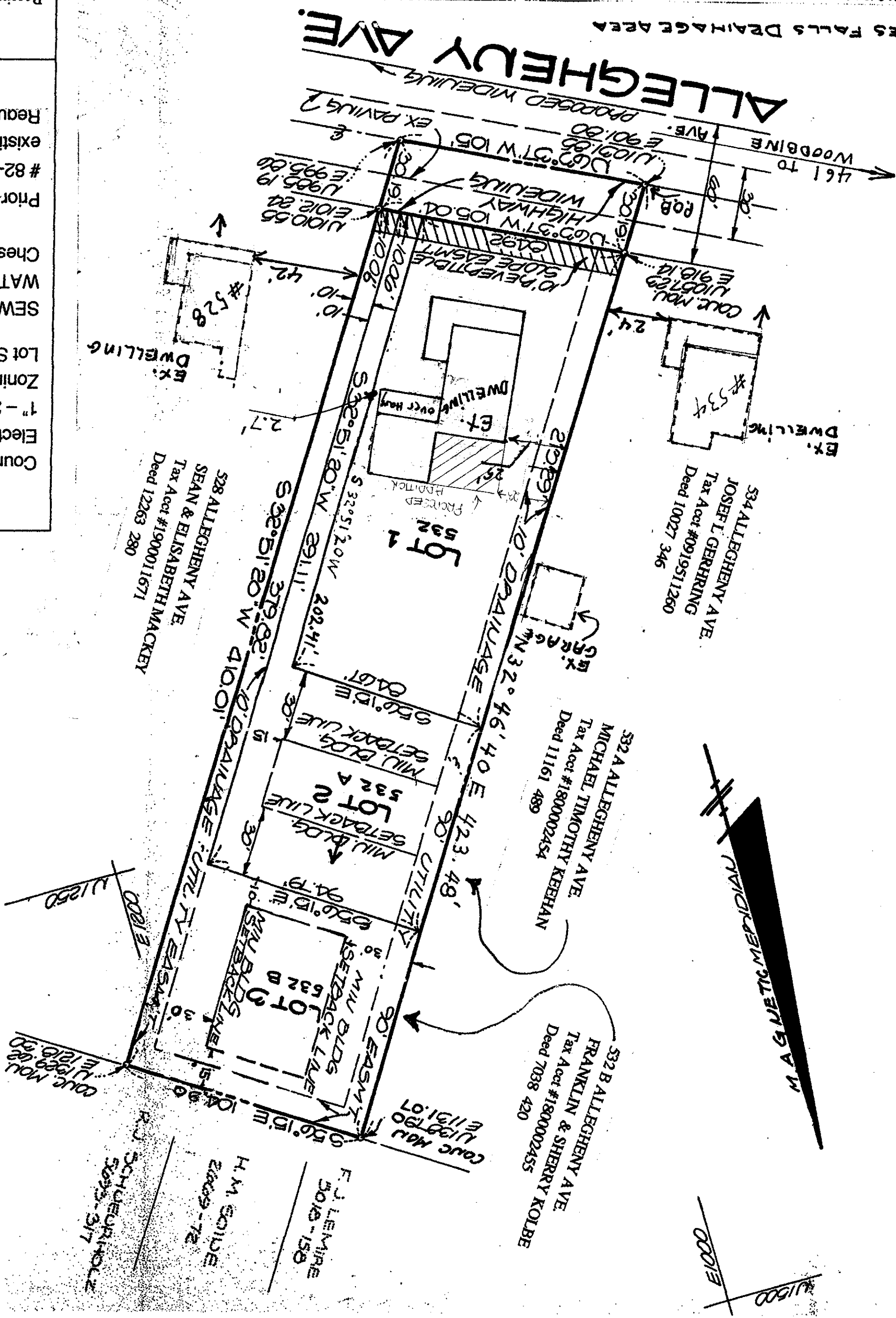
528 ALLEGHENY AVE. (Looking North / East)



534 ALLEGHENY AVE. (Looking North / West)

02-386-A

OWNER: John & Sally Ruppert



Date: 1/10/2002
Prepared by: John Ruppert

Scale of Drawing: 1"=40'

Zoning Office Use Only!

Received by:	Item #	Case #
D THOMPSON	386	02-386-P

LOCATION INFORMATION

Councilmanic District: 4th

974 Election District:

1"-200' Scale map: NE 10A

Zoning: DR 3.5

Lot Size: 40 Acreage
17388.00 Square feet

SEWER: Public
WATER: Public

Chesapeake Bay

ON

Prior Zoning Hearings:

82-154-SPHA Requested Variance to convert existing Garage into 3 apartments.

Request Denied 1/82

